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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/918,902

07/31/2001

Daniel Baker

00EC055/79183

2341

24628

7590

09/16/2009

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

09/16/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/918,902	Applicant(s) BAKER ET AL.	
	Examiner RASHA S. AL AUBAIDI	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 06/09/2009.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-4, 6-25 and 27-33 is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-4, 6-25 and 27-33 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This in response to amendment filed 06/09/2009. No claims have been added. No claims have been canceled. Claims 7, 13, 21, 22 and 28 have been amended. Claims 1-4, 6-25 and 27-33 are still pending in this application.
2. The rejection of 35 USC 112 is withdrawn.

Claim Rejections - 35 USC § 103

3. Claims 1-4, 6-25, and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Busey et al. (US PAT # 6,665,395) in view of Crowther et al. (US PAT # 6,771,765) and further in view of Mears et al. (US PAT # 7,092,509).

Regarding claim 1, Busey teaches a method for distributing customer contacts to a selected one of a plurality a transaction processing entities each capable of handling a plurality of media types in a transaction processing system (this reads on distributing customers calls and questions to agents in system 10 of the call center 22, see summary of the invention, col. 4, lines 44-49, and col. 5, lines 15-25), such method comprising: determining a media type for a customer contact in the transaction processing system, the media type determined by the access channel of the customer contact (chat, e-mail, voice, ...etc in Busey); finding a transaction processing entity (agent in Busey) that is capable of handling the media type; and routing the customer

contact (e.g., phone call) to a transaction processing entity (agent) that is capable of handling the media type (the claimed limitations of “determining a media type, finding a transaction processing entity that is capable of handling the media type, and routing the customer contact to a transaction processing entity that is capable of handling the media type” read all together on control 14, along with other processes and devices , which perform the function of these limitations in the call center, see col. 12, lines 26-30, col. 4, lines 65-67 and col. 8, lines 1-5. Also, for further explanations on these limitations see the summary of the invention in Busey.

Busey does not specifically teach identifying the media type as “exclusive” or “nonexclusive” and does not explicitly teach permitting no further customer **contacts** of the exclusive media type for the duration of said current customer contact.

This claimed feature is old and notoriously well known in the art. It has been well known that, for example, if an agent in an ACD is busy with a voice/telephone call, the agent would be considered busy/unavailable to handle other voice/telephone calls. This old feature is also taught by Crowther.

Crowther teaches in a contact call center agents are assigned priority level in each skillset so that agents can be assigned to handle customers’ requests/contacts in the most effective way based on their knowledge (see col. 2, lines 48-52). Each skillset is assigned an interruptibility level which defines the importance of a skillset and whether agents assigned to a skillset may be interrupted while busy answering other calls (see col. 5, lines 10-17). The claimed “exclusive media type” reads on the highest

interruptibility level (such as, voice or phone call), which cannot be interrupted (see col. 7, lines 38-46 and col. 8, lines 14-20). The claimed "non exclusive media type" reads on lower interruptibility level (such as email or fax), which can be interrupted by higher/highest interruptibility level requests such as voice call (see col. 8, lines 14-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate this old and well known feature of preventing further assignment of voice calls (i.e., exclusive and high priority) to an agent who is already engaged in a voice call session, as also taught by Crowther, into the Busey system in order to provide better, faster and professional services to customers. Also, this will enhance the efficiency of the call center. Thus, an existing voice call between an agent and a customer should not be "interrupted" by another voice call from another customer. The agent would give his/her "full attention" to the customer during the voice call.

The claimed limitation: "routing other non-exclusive customer contacts to the transaction processing entity during the current customer contact" has different interpretations as discussed above. When interpreted to mean that the current customer contact is non-exclusive, then routing other non-exclusive customer contacts(see first interpretation above), then this limitation is taught by Crowther because a non-exclusive media type contact such as e-mail may be "interrupted" by other non-

exclusive media type contacts. That is, e-mails can be routed to an agent who is currently handling an e-mail.

Busey and Crowther alone or in combination do not specifically teach "establishing a table of a predetermined maximum number of customer contacts of each media type that may be simultaneously handled...etc".

However, Mears teaches in a contact center system capable of handling multiple media types of contacts simultaneously, Fig. 8 show that a table can be created for each agent reflecting agent media skill assignment (such as email, voice or web) (see Fig. 8 and corresponding text).Mears also teaches that each media type will be set a priority level (Fig. 26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of establishing table that reflect all the media types handled by a single agent simultaneously, as taught by Mears, into the combination of Busey and Crowther in order to enhance the system's efficiency by tracking each agents capability and record for each multimedia handled. Also, the claimed feature of "predetermined maximum number of customer contacts" is obvious and well known in the art. It is logical that each agent **can not** be assigned more than **one voice call**, however agent can still handle multiple chats or respond to few emails at the same time. Again, voice calls have a high priority level than chat or emails.

Claim 13, is rejected for the same reasons as discussed above with respect to claim 1. On one hand, Busey teaches determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (this basically reads on "endpoint" (see col. 11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col. 11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6). On the other hand, Busey does not specifically teach preparing a transaction routing table of transaction processing entities based on media types. However, having a routing table for each agent that contains information such as for example, the media type that he/she can best handle would have been obvious and well known in the art, since this will be considered as an agent profile that can be viewed by management in skill performance and promotions scenarios.

For claims 2-4, 6-12, 14-20, 23-25, and 27-33 the limitations are taught by Busey. The rejection in the previous office action is hereby incorporated by reference.

4. Claims 1-4, 6-25, and 27-33 are also rejected under 35 U.S.C. 103(a) as being unpatentable over Busey et al. (US PAT # 6,665,395) in view of Crowther et al. (US

PAT # 6,771,765) in view of Price (US PAT # 6,389,132) and further in view of Mears et al. (US PAT # 7,092,509).

Regarding claim 1, Busey teaches a method for distributing customer contacts to a selected one of a plurality of transaction processing entities each capable of handling a plurality of media types in a transaction processing system. See the rejection above.

Busey does not specifically teach identifying the media type as “exclusive” or “nonexclusive” and does not explicitly teach permitting no further customer **contacts of the exclusive media type** for the duration of said current customer contact. This claimed feature is old and notoriously well known in the art. It has been well known that, for example, if an agent in an ACD is busy with a voice/telephone call, the agent would be considered busy/unavailable to handle other voice/telephone calls. This old feature is also taught by Crowther.

Crowther teaches in a contact call center agents are assigned priority level in each skillset so agents can be assigned to handle customers’ requests/contacts in the most effective way based on their knowledge (see col. 2, lines 48-52). Each skillset is assigned an interruptibility level which defines the importance of a skillset and whether agents assigned to a skillset may be interrupted while busy answering other calls (see col. 5, lines 10-17). On one hand, the claimed “exclusive media type” reads on the highest interruptibility level (such as, voice or phone call), which cannot be interrupted

(see col. 7, lines 38-46 and col. 8, lines 14-20). On the other hand, the claimed “non exclusive media type” reads on lower interruptibility level (such as email or fax), which can be interrupted by higher/highest interruptibility level requests such as voice call (see col. 8, lines 14-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of preventing further assignment of voice calls (i.e., exclusive and high priority) to an agent who is already engaged in a voice call session, as taught by Crowther, into the Busey system in order to provide better, faster and professional services to customers. Also, this will enhance the efficiency of the call center. Thus, an existing voice call between an agent and a customer should not be “interrupted” by another voice call from another customer.

The claimed limitation: “routing other non-exclusive customer contacts to the transaction processing entity during the current [exclusive] customer contact” has different interpretations as discussed above. When interpreted to mean if the further customer contacts are non-exclusive, then routing other non-exclusive customer contacts that the current customer contact is exclusive. (see second interpretation above).

This interpretation is not explicitly taught by Crowther or Busey. This limitation basically means an exclusive media type contact such as voice call may be “interrupted” by other non-exclusive media type contacts such as e-mails.

Price teaches multi tasking in a call center wherein a multi tasking agent who is handling a voice call session with a customer can still view or respond to an email or a text message (see col. 4, lines 25-45 and col. 7, lines 30-35).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature, if desired, of allowing an agent that is handling a voice call (exclusive) to receive and handle other tasks such as off-line messages and emails (non-exclusive), as taught by Price, into the combination of Busey and Crowther in order to improve the efficiency of the system by having a multi tasking agent that is capable of providing assistance to more than one customer at the same time, if the supervisor or administrator of the ACD elects to do so. A multi tasking agent can work in partial parallel mode and use time in more efficient manner. Thus, by multitasking, the agent can reduce the overall cost to the call center (i.e., saving time and money). To multi-task (e.g., to respond to e-mails while talking on the phone) or not to multi-task (not to receive any further contacts of any type while on the phone) is a design choice to be made by the supervisor. The decision to elect one or the other does not rise to the level of patentability and does not require ingenuity.

Busey, Crowther and Price alone or in combination do not specifically teach "establishing a table of a predetermined maximum number of customer contacts of each media type that may be simultaneously handled...etc".

However, Mears teaches in a contact center system capable of handling multiple media types of contacts simultaneously, Fig. 8 show that a table can be created for each agent reflecting agent media skill assignment (such as email, voice or web) (see Fig. 8 and corresponding text). Mears also teaches that each media type will be set a priority level (Fig. 26).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of establishing table that reflect all the media types handled by a single agent simultaneously, as taught by Mears, into the combination of Busey, Crowther and Price in order to enhance the system's efficiency by tracking each agent's capability and record for each multimedia handled. Also, the claimed feature of "predetermined maximum number of customer contacts" is obvious and well known in the art. It is logical that each agent **can not** be assigned more than **one voice call**, however agent can still handle multiple chats or respond to few emails at the same time. Again, voice calls have a high priority level than chat or emails.

Claim 13, is rejected for the same reasons as discussed above with respect to claim 1. On one hand, Busey teaches determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (this basically reads on "endpoint" (see col. 11, lines 15-67); and comparing the metric to a

threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col. 11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6). On the other hand, Busey does not specifically teach preparing a transaction routing table of transaction processing entities based on media types. However, having a routing table for each agent that contains information such as for example, the media type that he/she can best handle would have been obvious and well known in the art, since this will be considered as an agent profile that can be viewed by management in skill performance and promotions scenarios.

Claims 21-22 are rejected for the same reasons as discussed above with respect to claim 1. Also, for claims 22-23 limitations, Busey teaches searching a transaction processing entity that is not handling an exclusive media type (this may read on availability of agent, see col. 8, lines 6-9 and/or the priority of task the agent is handling at the current time, see col. 3, lines 55-60); determining a metric of how many customer contacts of the media type have been assigned to the transaction processing entity (basically reads on "endpoint", see col. 11, lines 15-67); and comparing the metric to a threshold relating to the maximum number of customer contacts of the media type that the transaction processing entity may handle (see col. 11, lines 53-67), and when the metric exceeds the threshold, preferentially routing customer contacts to another transaction processing entity (see col. 12, lines 1-6).

For claims 2-4, 6-12, 14-20, 23-25, and 27-33 the limitations are taught by Busey. The rejection in the previous office action is hereby incorporated by reference.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S. AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Rasha S AL-Aubaidi/

Primary Examiner, Art Unit 2614